PRESERVED

App. F. IX-4

193 b.
(do)

File No. 89.32

Previous References
do 46-35 (21-25)
" 31-32 (1+3)

Serial Nos. 1 -

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for Oct 36

SUBJECT.

Re transfer of jurisdiction over 1st and 2nd class cases of Murtahalli Sk from the first Magistrate to the second Magistrate's Court, Shimoga

Note Noff 2353/15-10-36 Town Committee

Note as above

WD 0418—GPB—22,500—29-8-36

M Gururaja
27/10/36

1053

General and Revenue Secretariat | C/S File No. 89 of 1936. | [App. F. II

Serial No. 1

From
The Registrar High Court
Roc No 196/36-37 dy 30-9-36

Requests sanction to the retransfer of jurisdiction over the 2nd & 3rd Class Cases of the Taluks of Thirthahalli from the Court of the First Magistrate to that of the Second Magistrate of Shimoga.

Submitted With references and a draft of a notification for orders

The recommendation of the High Court may be approved. Consequent on the abolition of the Bench Court at Shimoga Considerable work has been thrown on the I magistrate Shimoga. He requires some relief the 2nd & 3rd class Cases & Thirthalli may therefore be given over to II magistrate

Chief Secretary) For appl. 10-10

1st member)

OCT 1936

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—8-9-36

R. O. C. No. 196
D. Dis. 36-37

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 30th September 1936.

FROM T. Shamiengar, Esq., B.A., B.L.,
~~A. Sundararaja Rao, Esq., B.A., B.L.,~~
~~S. Venkata Ranga Iyengar, Esq., B.A., LL.M.,~~
Registrar, High Court of Mysore.

CHIEF SECRETARY. Rec'd To 1 OCT. 1936

B.T. Kesavaiengar, Esq., B.A.,
Chief Secretary to the Government of Mysore,
Bangalore.

SIR,

I am directed to refer to the Government Notification No.P. 8698/Courts 46-35-25, dated 30th June 1936, ordering a redistribution of jurisdiction between the First and the Second Magistrates' Courts at Shimoga on the abolition of the Bench Court, Shimoga, from 1st July 1936 and to state that the District Magistrate of Shimoga reports that after the transfer of jurisdiction over cases relating to offences under the Special and Local Laws to the First Magistrate at Shimoga, as ordered in the above Notification, the file of the First Magistrate has become heavy and the Magistrate is in need of relief. The District Magistrate therefore proposes that the jurisdiction over the second and third class cases of the Taluk of Tirthahalli which is now being exercised by the First Magistrate, Shimoga, may be transferred from the First Magistrate's Court to the Court of the Second Magistrate.

2. The jurisdiction over the second and the third class cases of the Taluk of Tirthahalli originally vested in the Second Magistrate's Court at Shimoga; but, when the First Magistrate of Shimoga was directed to itinerate to Tirthahalli in Government Order No.P.5795-805/Cts. - 169-27-11, dated 30th March 1929, instead of the Second Magistrate, Shimoga, who had other tours to make (vide High Court's letter R.O.C. No.389/27-28, dated 15th November 1928, under "Shimoga District" in paragraph 1 of that letter), the First Magistrate was directed to try all classes of cases at Tirthahalli. Subsequently in G.O. No.P.758-59/ Cts.31-32-3, dated 1st/2nd August 1932, the itineration of the First

Magistrate

Magistrate, Shimoga, to Tirthahalli was temporarily suspended, - the suspension continues even now, - but the jurisdiction over the second and third class cases of the Tirthahalli Taluk continues to be exercised by the First Magistrate, Shimoga. The District Magistrate now requests the sanction of the Government for changing the jurisdiction over the second and the third class cases of the Tirthahalli Taluk from the First Magistrate's to the Second Magistrate's Court, Shimoga.

3. It might perhaps be thought doubtful whether with the suspension of the First Magistrate's itineration to Tirthahalli jurisdiction over the 2nd and 3rd class cases of the Taluk of Tirthahalli, which originally vested in the Second Magistrate, Shimoga, and was transferred to the First Magistrate Shimoga, by reason of his itineration, did not automatically revert to the Second Magistrate, Shimoga. But that is a question which should not be left in any doubt. I am therefore to request that the Government may be pleased ~~especially~~ explicitly to order the retransfer of the jurisdiction over the 2nd and 3rd class cases of the Taluk of Tirthahalli from the Court of the First Magistrate to that of the Second Magistrate of Shimoga.

I have the honour to be,

Sir,

Your most obedient servant,

J. Shamiangar

Registrar.

3x(11

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P2515 CS 189-36-2 General and Revenue Secretariat,

Dated Bangalore, 15-10- 193 6.

NOTIFICATION.

Government direct that with effect from 1st November 1936 the First Magistrate, Malavalli, shall cease to exercise and the Second Magistrate, Malavalli, shall have jurisdiction in respect of all the Second and Third class cases arising in the Malavalli Taluk.

By Order,

Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication.

C.R.11

Ackd 17/10.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Pers-1589-36-2

15.10.36

Notification

Subject to being approved. [The High Court has not indicated the exact date]

Govt direct that with effect from 1st November 1936 the First Magistrate Shimoga Shall Cease to Exercise and the Second Magistrate Shimoga Shall have jurisdiction in respect of all the Second and third class Cases arising in the Thirthahalli Taluk.

By Order,

10/10

Chief Secretary to Govt

No. Pers 18-17 dt 15.10.36 10/10

The Compiler Mysore Gazette for publication

Copy to (1) Registrar High Court

(2) The DM Shimoga

By Order

WD 03603—GPB—15,000—8-7-35

13/10